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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ANDREW SHALABY & SONIA DUNN- RUIZ,)	Case No. 07cv2107-W(BLM)
)	
Plaintiffs,)	
)	ORDER SETTING HEARING DATE AND
v.)	REQUIRING EXCHANGE OF
)	SETTLEMENT OFFERS
NEWELL RUBBERMAID, INC., et)	
al.,)	
)	
Defendants.)	
_____)	
)	
And related counterclaim.)	
_____)	

On September 4, 2008, the Court convened a telephonic Case Management Conference in the above matter. After conferring with counsel regarding the status of the case, the Court issues the following orders:

1. Defendants' *ex parte* application to designate expert witness Jason Lusk (Doc. No. 33) is stricken from the docket. Should Defendants wish to pursue this request, they shall file an appropriate motion, including legal and factual support and analysis, on or before September 12, 2008. Plaintiffs' opposition to Defendants' motion shall be filed on or before September 19,

1 2008. Defendants' reply, if any, shall be filed on or before
2 September 26, 2008. A hearing on the motion is set for October 2,
3 2008 at 9:00 a.m. Unless the Court directs otherwise in advance,
4 pursuant to Local Rule 7.1(d)(1), the matter will be resolved
5 without oral argument and no personal appearances are required on
6 October 2, 2008.

7 2. In anticipation of the October 14, 2008 Mandatory
8 Settlement Conference, the parties shall exchange settlement offers
9 according to the following schedule. Plaintiffs must provide
10 Defendants with a written settlement demand on or before September
11 22, 2008. This demand should be of such a nature that if fully
12 accepted by all Defendants, it would resolve the entire action.
13 Defendants shall either accept Plaintiffs' demand or provide
14 Plaintiffs with a written, similarly global responsive settlement
15 offer on or before September 27, 2008. If Defendants propose a
16 counter-offer, Plaintiffs shall respond in writing to that counter-
17 offer on or before October 6, 2008.

18 IT IS SO ORDERED.

19
20 DATED: September 5, 2008

21 

22 BARBARA L. MAJOR
23 United States Magistrate Judge
24

25 COPY TO:

26 HONORABLE THOMAS J. WHELAN
27 UNITED STATES DISTRICT JUDGE

28 ALL COUNSEL AND PARTIES